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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,547	04/18/2000	Takanobu Ihara	040373/0280	2187

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EXAMINER

GESESSE, TILAHUN

ART UNIT PAPER NUMBER

2684

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



<b>Office Action Summary</b>	<b>Application No.</b> 09/551,547	<b>Applicant(s)</b> IHARA, TAKANOBU	
	<b>Examiner</b> Tilahun B. Gesesse	<b>Art Unit</b> 2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4 and 6-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 6-11 is/are rejected.
- 7) ☒ Claim(s) 12-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/11/03</u> . | 6) <input type="checkbox"/> Other: _____  |



## **DETAILED ACTION**

### **Status of claims**

1. This is in response to applicant's request for continued examination (RCE) filed June 24, 2005, in which claims 3 and 5 have been canceled and claims 1-2, 4-28 are pending.

### ***Specification***

2. The disclosure is objected to because of the following informalities: In page 2, line 1, the specification contains typographical error. Appropriate correction is required.

The amendment filed 6/24/05 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the subject matter as amended in the claim 1, " a plurality of extension numbers and a corresponding plurality of different line keys physically present thereon for selecting among any one of said plurality of extension numbers, said plurality of different. line-keys being separate and distinct from said numeric keypad." The specification as disclosed in page 7 line 17 through page 8, line 6, line keys 12, for setting a telephone line each extension number possessed by the mobile stations 10a to 10c , ---- for setting personal line and , for setting sublines etc. however, no where in the spec. for selecting among any one of the plurality of extension number and are separate and distinct from the numeric keypad. Applicant is required to cancel the new matter in the reply to this Office Action.



***Response to Arguments***

3. Applicant's arguments filed 6/24/05 have been fully considered but they are not persuasive.

On page 11, third paragraph, of applicant's response to the office action, argued that Mitsuo does not teach each of the mobile units has a plurality of extension numbers.

The examiner disagrees the applicant's argument. Mitsuo teaches private exchange which distributes or manage in coming or outgoing calls, such a private company or university campuses , any mobile unit (008b) incoming call comes in to the private exchange , forwards to extension (006a), extension (006d) does not answer the call then extension (006d mobile forwards the call. Although , extension 006a, and radiotelephone 008a are separate extension they can handle call as they were single channel extension phone, now the incoming call from the mobile station has plurality of extension.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

On page 11, fourth paragraph of applicant's response, applicant argued that Arai does not teach mobile units.

The examiner disagrees to the applicant's argument that Arai does mobile unit .



In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., mobile unit) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Further more, Arai teaches mobile units (109-114), see figure 1) connected through fixed unit to the private exchange.

On page 11 , third paragraph of applicant's response admits that Arai teaches speech button or key 312 as different line keys physically separated from conventional set of keys 309.

But applicant argued that Arai speech button is also to receive calls. The examiner disagrees on applicant's suggestion. The claim 1, simply recites "plurality of different line keys physically present" and does not indicate that key is not actuated for receiving any incoming call. Applicant's argues away from the recited claim subject matter in as recited in the claim.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).



***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,4,6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuo (US patent No. 5,577,902) in view of Arai (US patent No. 5,517,551) .

Claim 1, Mitsuo discloses a private branch exchange system (figure 1) a plurality of mobile stations each having a plurality of extension numbers ( 008b, 008a,006d of figure 1) a base station (radio extension interfaces (007 of figure 1) wirelessly connected to said plurality of mobile stations (008b and 008a) and an exchange station for performing call control of said plurality of Mobile stations through said base station (100 of figure 1 and abstract and column 3 line 42-column 4, lines3). Mitsuo differs in teaching a plurality of different line keys physically present thereon for selecting among an one of said plurality of extension numbers. However, Arai teaches a plurality of different line keys physically present thereon for selection among ' an one of said plurality of extension numbers ( see abstract , column 7, lines 38-43, column 10, line 62- column 11, line 7 and figure 13). Arai further more, teaches plurality of different line keys being separate and distinct from the number keypad (see column 3, lines 1-16 and figure 3). Mitsuo and Arai both teach private telephone exchange with plurality of radio units, then it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to select among plurality of extension numbers, as



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evidenced by Arai, for physically connected the desired extension number on a mobile station to make or answer a call whenever, the user is away from his or her desk or office.

Claim 2, Mitsuo discloses at least one of the plurality of extension numbers set for the plurality of mobile stations is a unique extension number for each of said plurality of mobile stations (abstract). Claim 4, Mitsuo discloses a private branch exchange system (figure 1) a plurality of mobile stations (008b,008a,and 006d of figure 1) a base station wirelessly connected to said plurality of mobile stations (007 of figure 1)., an exchange station for performing call control of said plurality of mobile stations through said base station, wherein each of said plurality of mobile stations has the same extension number as that of one or more predetermined other mobile station (abstract) and wherein said plurality of mobile stations each have a plurality of extension numbers (see abstract , column 7, lines 38- 43, column 10, line 62-column 11, line 7 and figure 13).

Mitsuo differs in teaching a plurality of different line keys physically present thereon for selection among any one of said plurality of extension-numbers . However, Arai teaches a plurality of different line keys physically present thereon for selection among ' an one of said plurality of extension numbers (see abstract , column 7, lines 38- 43, column 10, line 62-column 11, line 7 and figure 13). Arai further more, teaches plurality of different line keys being separate and distinct from the number keypad (see column 3, lines 1-16 and figure 3). Mitsuo and Arai both teach private telephone exchange with plurality of radio units, then It would have been obvious to a person of



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ordinary skill in the art at the time of the invention was made to select among plurality of extension numbers, as evidenced by Arai, for physically connected the desired extension number on mobile station to make or answer a call when ever the user is away from his desk or office.

Claim 6. Mitsuo discloses at least one of the plurality of extension numbers set for the plurality of mobile stations is a unique extension number for each of the plurality of mobile stations (abstract).

Claims 7-11, Mitsuo discloses the plurality of mobile stations each have line key buttons for setting the plurality of lines (figure 1).

***Allowable Subject Matter***

5. Claims 12-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art does not expressly teach a data managing section for managing information for each of said plurality of extension numbers; a line state managing section for managing a state of each of said plurality of lines; and a line state control section for sending a direction for performing call control to said call control section based on the information for each extension number managed by said data managing section and the state of the line managed by said line state managing section, wherein



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said call control section performs call control of said plurality of mobile sections based on the direction sent from said line state control section.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McKendry et al (US patent No. 6,021,176) teaches personal or private exchange network and each remote extensions any ha a unique telephone number , see column 4, lines 43-57).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Tilahun B Gesesse* 8/8/05  
TILAHUN GESESSE  
PRIMARY EXAMINER